

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company (U 39-M) for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2007.

Application 05-12-002  
(Filed December 2, 2005)

**ADMINISTRATIVE LAW JUDGES' RULING  
SETTING A PREHEARING CONFERENCE (PHC),  
REQUIRING PHC STATEMENTS, AND  
ADDRESSING OTHER PROCEDURAL MATTERS**

**Notice of Prehearing Conference**

A PHC is set for 10:00 a.m. on January 23, 2006, at the Commission's Hearing Room, 505 Van Ness Avenue, San Francisco, California, 94102. The PHC will address the scope and schedule of this proceeding, establish the service list, and address other procedural issues that may arise.

**All-Party Conference Prior to the PHC**

Prior to the PHC, Pacific Gas and Electric Company (PG&E) shall arrange one or more all-party conference calls to (1) develop a proposed joint schedule and case management statement for this proceeding; (2) identify and resolve issues; and (3) consider whether it would be useful to employ alternative dispute resolution techniques to narrow and/or resolve issues. The first conference call shall occur no later than January 7, 2006.

### **Public Participation Hearings**

Prior to the PHC, PG&E, the Office of Ratepayer Advocates (ORA), and other interested parties shall contact and work with the Commission's Public Advisor to (1) arrange for proposed dates, times, and places of public participation hearings (PPHs), and (2) prepare a draft notice of the PPHs to PG&E's customers and the public. At least some of the PPHs should be held in or near the communities that will be affected by PG&E's proposed closure of 84 "front counters." In addition, the PPHs should commence no sooner than Monday, April 24, 2006.

PG&E and ORA should tender this proposed list in their PHC statements, and the proposed list is subject to approval by the Assigned Commissioner and Administrative Law Judges (ALJs). PG&E should tender the proposed draft notice of PPHs to the Public Advisor for its approval.

### **Submittal of Written PHC Statements**

Parties that wish to participate in this proceeding shall file, serve, and email PHC statements by no later than January 18, 2006. The statements should be served on the temporary service list as well as on the Assigned Commissioner and the undersigned ALJs. (The ALJs' email addresses are [tim@cpuc.ca.gov](mailto:tim@cpuc.ca.gov) and [jjj@cpuc.ca.gov](mailto:jjj@cpuc.ca.gov)). The PHC statements should contain and/or address the following:

- The joint schedule and case management statement, if any, that results from the all-party conference call(s). Alternatively, parties may propose their own schedule for this proceeding. Any proposed schedule should identify specific milestones and dates. It is expected that a schedule similar to the one proposed by PG&E in its Application will be adopted unless there is a compelling reason to deviate from PG&E's proposed schedule.
- The dates, times, and places for the proposed PPHs.

- The issues that should be addressed in this proceeding besides those issues identified in Application (A.) 05-12-002.
- A list and description, to the extent known, of (1) disputed issues, and (2) resolved issues.
- The need for evidentiary hearings.
- The appropriate category for this proceeding.
- Discovery issues.
- A list and description of other matters the parties wish to address at the PHC.

### **Service List**

The PHC will establish the permanent service list for this proceeding. The service list for A.02-11-017 will serve as the temporary service list for the instant proceeding until a permanent service list is established at the PHC.<sup>1</sup>

Any party that wishes to participate in this proceeding must submit an appearance form at the PHC. Parties unable to attend the PHC may mail an appearance form to ALJ Kenney prior to the PHC. Those who plan to actively participate in the proceeding will be granted party status. Any others filing appearances will be granted Information Only or other appropriate status.

### **Filing Requirements and Electronic Service Protocols**

All documents in this proceeding shall be filed and in accordance with the Commission's Rules of Practice and Procedures, including the Electronic Service Protocols set forth in Rules 2.3 and 2.3.1. In addition, any party submitting documents in this proceeding shall (1) provide a hardcopy of the documents to the Assigned Commissioner and the assigned ALJs, and (2) provide two

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<sup>1</sup> A.02-11-017 was the proceeding for PG&E's 2003 Test Year General Rate Case.

electronic copies of each document to the assigned ALJs. One electronic copy should be in PDF format. The second copy should be in Microsoft Word and/or Excel format to the extent that it is practical to do so.

**IT IS RULED** that:

1. A prehearing conference (PHC) is set for 10:00 a.m. on January 23, 2006, at the Commission's Hearing Room, 505 Van Ness Avenue, San Francisco, 94102.

2. Prior to the PHC, Pacific Gas and Electric Company (PG&E) shall arrange one or more all-party conference calls to (1) develop a joint schedule and case management statement for this proceeding; (2) identify and resolve issues; and (3) consider the possibility of using alternative dispute resolution techniques to narrow and/or resolve disputed issues. The first conference call shall occur no later than January 7, 2006.

3. PG&E, the Office of Ratepayer Advocates, and other interested parties shall contact and work with the Commission's Public Advisor to (i) set the dates, times, and places for the public participation hearings (PPHs), and (ii) prepare a draft notice of the PPHs to PG&E's customers and the public, as more fully set forth in the ruling.

4. Interested parties shall file, serve, and email a written PHC statement by no later than Wednesday, January 18, 2005, served on the temporary service list, the Assigned Commissioner, and Administrative Law Judges (ALJ). The PHC statements shall address the matters identified in the body of this Ruling.

5. Any party that wishes to participate in this proceeding must submit an appearance form at the PHC. Parties unable to attend the PHC may mail an appearance form to ALJ Kenney prior to the PHC.

6. Pending the taking of appearances at the PHC, the service list in Application 02-11-017 will serve as the temporary service list for this proceeding. A permanent service list will be established at the PHC.

7. All documents shall be filed and serviced in accordance with the Commission's Rules of Practice and Procedure, including the Electronic Service Protocols set forth in Rules 2.3 and 2.3.1.

8. Any party submitting documents in this proceeding shall provide (i) hard copies of the documents to the Assigned Commissioner and the assigned ALJs, and (ii) two electronic copies via email to the assigned ALJs. One electronic copy shall be in PDF format. The other copy shall be in Microsoft Word and/or Excel format to the extent that it is practical to do so.

Dated December 21, 2005, at San Francisco, California.

/s/ TIMOTHY KENNEY by JAE

Timothy Kenney  
Administrative Law Judge

/s/ JANET A. ECONOME

Janet A. Econome  
Administrative Law Judge

## CERTIFICATE OF SERVICE

I certify that I have this day served the attached Administrative Law Judge's Ruling Setting a Prehearing Conference (PHC), Requiring PHC Statements, and Addressing Other Procedural Matters on all parties of record on the service lists for this proceeding and Application 02-11-017 or their attorneys of record by electronic mail to those who provided electronic mail addresses, and by U.S. mail to those who did not provide email addresses.

Dated December 21, 2005, at San Francisco, California.

/s/ JOYCE TOM

Joyce Tom

## N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

\*\*\*\*\* The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.